



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JD
F. #2005R00060

*271 Cadman Plaza East
Brooklyn, New York 11201*

March 7, 2025

By Hand and ECF

Hon. Nicholas G. Garaufis
United States District Court
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: United States v. Vincent Basciano
Dkt. Nos. 17 CV 3815, 05 CR 60 (NGG)

Dear Judge Garaufis:

The government respectfully writes to request an adjournment of the scheduling order previously set down in this matter pending before the Court pursuant to Title 28, United States Code, Section 2255. The government requests an adjournment of 60 days (from March 17, 2025) for the government's response to Basciano's petition for collateral relief, and an additional 60 days for his response. Habeas counsel takes no position regarding this request.

Capital counsel had previously advised the government that with the passing of trial counsel, capital counsel does not intend to submit an affidavit related to the instant petition. The government has nevertheless reached out to prior co-trial/penalty counsel, as well as appellate counsel, given the petition's claim of ineffective assistance of trial and appellate counsel. In the event either counsel wish to submit any response to the instant petition, the government will apprise the Court and habeas counsel. In the interim, the parties request the above scheduling schedule, to be updated as necessary upon the response(s) if any, of prior trial and appellate counsel.

JOHN J. DURHAM
United States Attorney

cc: NGG Clerk of Court (by ECF and Email)
Habeas Counsel (by Email and ECF)
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